

E-FILED 08-30-2010

John W. Carpenter (State Bar No. 221708)
john@jwcarpenterlaw.com
Technology Licensing Company Inc.
33 ½ Los Pinos
Nicasio, CA 94946
Telephone: (415) 577-0698
Facsimile: (866) 410-6248

Attorney for Plaintiff
Technology Licensing Company Inc.

Andrew Leibnitz (State Bar No. 184723)
aleibnitz@fbm.com
Deepak Gupta (State Bar No. 226991)
dgupta@fbm.com
Amber C. Chrystal (State Bar No. 260470)
achrystal@fbm.com
Farella Braun + Martel LLP
235 Montgomery Street, 17th Floor
San Francisco, CA 94104
Telephone: (415) 954-4400
Facsimile: (415) 954-4480

Attorneys for Defendant
Wal-Mart Stores, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TECHNOLOGY LICENSING
COMPANY, INC.,

Plaintiff,

vs.

WAL-MART STORES, INC.,

Defendant.

Case No. CV-10-1426-HRL

**SECOND STIPULATION AND
~~PROPOSED~~ ORDER CONTINUING
INITIAL CASE MANAGEMENT
CONFERENCE**

Magistrate Judge Howard R. Lloyd

[Re: Docket No. 9]

This Stipulation is made with reference to the following facts:

WHEREAS, the Initial Case Management Conference in this matter was originally set for for June 22, 2010 and was modified by stipulation to its current date of September 14, 2010 at 1:30 p.m.;

WHEREAS, the parties continue to engage in initial discussions and informal exchanges of information about the patent in suit, and are evaluating the factual and legal questions at issue;

WHEREAS, their initial evaluations of the case have been delayed due to summer vacations of the parties and counsel;

1 WHEREAS, the parties agree that they need further time to assess how to proceed
2 with this action;

3 WHEREAS, the parties continue to believe they may be able to resolve this matter
4 without the need for the Court's involvement;

5 WHEREAS, the parties have agreed that it would be in their best interest to seek a
6 continuance of the Initial Case Management Conference to January 18, 2011, or to another date
7 thereafter the Court's calendar permits;

8 ACCORDINGLY, Plaintiff Technology Licensing Company, Inc. and Defendant Wal-
9 Mart Stores, Inc., by and through their respective counsel, HEREBY STIPULATE AND AGREE
10 THAT the Initial Case Management Conference in this matter should be continued to January 18,
11 2011 at 1:30 p.m., or whatever date thereafter the Court's calendar permits. The parties shall file
12 a Joint Case Management Statement and either a consent or declination to proceed before a
13 United States Magistrate Judge not less than seven calendar days before the date for which the
14 conference is set.

15
16 Dated: August 11, 2010

17
18 By: /s/ John W. Carpenter
John W. Carpenter

19 Attorney for Plaintiff
20 Technology Licensing Company Inc.

21 Dated: August 11, 2010

FARELLA BRAUN + MARTEL LLP

22
23 By: /s/ Deepak Gupta
Deepak Gupta

24 Attorneys for Defendant
25 Wal-Mart Stores, Inc.

ORDER

PURSUANT TO STIPULATION AND UPON GOOD CAUSE SHOWN, IT IS SO ORDERED. **The court is not inclined to grant any further extensions.**

Dated: August 30, 2010



Magistrate Judge Howard R. Lloyd
United States District Court

ATTORNEY'S E-FILING ATTESTATION

As the attorney e-filing this document, and pursuant to General Order 45(X.)(B.), I hereby attest that John W. Carpenter has concurred in the filing of this document.

Dated: August 11, 2010

FARELLA BRAUN + MARTEL LLP

By: /s/ Deepak Gupta
Deepak Gupta

Attorneys for Defendant
Wal-Mart Stores, Inc.